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BOULDER, CO 80302  
PHONE 303-938-9999  
FACSIMILE 303-938-9995**FACSIMILE TRANSMISSION**

DATE: November 3, 2004

FROM: Brett L. Bornsen

TELEPHONE: 303-938-9999 ext. 17

NUMBER OF PAGES (including this page): 18

EMAIL: bbornsen@dsoblaw.com

TO: Mail Stop: Amendment  
Commissioner for Patents

TELEPHONE:

RE: Application No. 09/695,109  
Filing Date: 10/24/2000  
Inventor: John McPherson  
Art Group: 2664  
Examiner: Brenda H. Pham  
Attorney Docket No. 1259

FAX: 703-872-9306

**MESSAGE**Attachments: Transmittal Form -- 1 page  
Copies of Response to Office Action faxed to PTO 11/11/2003; Transmittal  
Form; Facsimile Cover Sheet; Transaction Report; and USPTO Auto-Reply Facsimile  
Transmission dated 11/11/2003**IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL 303-938-9999**THIS TELECOPY IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED, AND  
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PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|                        |                 |
|------------------------|-----------------|
| Application Number     | 09/695,109      |
| Confirmation Number    | 1597            |
| Filing Date            | 10/24/2000      |
| First Named Inventor   | Johnn McPherson |
| Art Unit               | 2664            |
| Examiner Name          | Brenda H. Phan  |
| Attorney Docket Number | 1259            |

Total Number of Pages in This Submission 17

**ENCLOSURES (check all that apply)**

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☒ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
- ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation, Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter


☒ Other Enclosure(s)  
(please identify below):

Copies of Response to Office Action faxed to PTO 11/11/2003: Transmittal Form, Facsimile Cover Sheet, Transaction Report, and USPTO Auto-Reply Facsimile Transmission dated 11/11/2003

Remarks Pursuant to a telephone conversation with Examiner Pham and my paralegal, Linda Leonard, on 11/03/2004, applicant is resubmitting the Response faxed on 11/11/2003 and request that it be entered as timely filed.


It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account 210765 for any required fees.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |   |          |        |
|--------------|---|----------|--------|
| Firm         |   |          |        |
| Signature    |  |          |        |
| Printed Name | Brett L. Borns  |          |        |
| Date         | 11/03/2004  | Reg. No. | 46,586 |

**CERTIFICATE OF TRANSMISSION/MAILING**

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| Signature             |  | Date | 11/03/2004 |
| Typed or printed name | Linda L. Leonard  |      |            |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application for a patent. The collection is estimated to take 12 minutes to complete, including review and preparation of the information. The collection is required by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including review and preparation of the information. The collection is required by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including review and preparation of the information. The collection is required by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including review and preparation of the information.

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NOV-11-2003 TUE 04:02 PM DUFT SETTER OLLILA BORNIS FAX NO. 3039389995 P. 01

**DUFT SETTER OLLILA & BORNSEN LLC**  
Intellectual Property Law Firm

220 Broadway, Suite 300  
Boulder, CO 80501  
Phone 303-442-9999  
Facsimile 303-442-9999

**FACSIMILE TRANSMISSION** DATE: November 11, 2003

FROM: Brett L. Bornsen TELEPHONE: (303) 938-9999 ext. 17  
NUMBER OF PAGES (including this page): 14 EMAIL: @dsoblaw.com  
TO: Brenda H. Pham TELEPHONE: (703) 308-0148  
Brensen  
USPTO FAX: (703) 872-9314

RE: Application No. 09/1995,109  
Filing Date: 10/24/00  
Art Unit: 2664  
Inventor: John McPherson  
Attorney Docket No.: 1259

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P. 01

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## DUFT SETTER OLLILA &amp; BORNSSEN LLC

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2060 BROADWAY, SUITE 300  
BOULDER, CO 80302  
PHONE 303-938-9999  
FACSIMILE 303-938-9995

## FACSIMILE TRANSMISSION

DATE: November 10, 2003

FROM:

Brett L. Bornsen

TELEPHONE: (303) 938-9999 ext. 17

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EMAIL: @dsoblaw.com

TO:

Brenda H. Pham  
Examiner  
USPTO

TELEPHONE: (703) 308-0148

RE:

Application No. 09/695,109  
Filing Date: 10/24/00  
Art Unit: 2664  
Inventor: John McPherson  
Attorney Docket No.: 1259

FAX: (703) 872-9314

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**DUFT SETTER OLLILA & BORNSSEN LLC**

Intellectual Property Law Firm

2060 BROADWAY, SUITE 300  
BOULDER, CO 80302  
PHONE 303-938-9999  
FACSIMILE 303-938-9995

**FACSIMILE TRANSMISSION**

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EMAIL: @dsoblaw.com

TO:

Brenda H. Pham  
Examiner  
USPTO

TELEPHONE: (703) 308-0148

RE:

Application No. 09/695,109  
Filing Date: 10/24/00  
Art Unit: 2664  
Inventor: John McPherson  
Attorney Docket No.: 1259

FAX: (703) 872-9314

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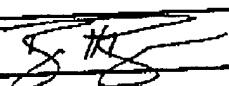
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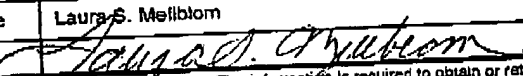
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|---|----------------------|-----------------------------------|------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number   | 09/695,109; Confirmation No. 1597 |      |
|   | Filing Date          | 10/24/2000                        |      |
|   | First Named Inventor | John McPherson                    |      |
|   | Art Unit             | 2664                              |      |
|   | Examiner Name        | Brenda H. Pham                    |      |
| Total Number of Pages in This Submission  | 12                   | Attorney Docket Number            | 1259 |

| ENCLOSURES (check all that apply)  |   |  |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
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|--|---|
| Firm or Individual name                    | Brett L. Bomsen, Reg. 46,586  |
| Signature                                  |  |
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